

Results of Brief Enforcement Hearings – May 26, 2004

Note: Brief Enforcement Hearings are heard by a Single Commissioner, normally the Chair of the Commission. Brief enforcement hearings are held when the facts are undisputed, the violations appear to be relatively minor in nature, and a penalty no greater than \$500 will be assessed for the violations. A respondent may appeal the results of a brief enforcement hearing by asking the full Commission to review the findings of the Single Commissioner.

Brief Enforcement Hearings – May 26, 2004

1. **Cynthia Sullivan 2003 Campaign**, Case #04-024

Results: The Respondent violated RCW 42.17.080 and 42.17.090 by failing to timely file reports of orders placed, obligations, and in-kind contributions, and by failing to disclose occupation and employer information for all contributors of over \$100 in the aggregate.

Assessed Penalty: \$350, with \$150 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

The Chair also acted to dismiss the following allegations:

- that the Respondent accepted contributions in excess of contribution limits, in violation of RCW 42.17.640;
- that the Respondent failed to accurately report the dates that monetary contributions were received, in violation of RCW 42.17.080 and .090; and that the Respondent failed to timely report contribution deposits and monetary expenditures, in violation of RCW 42.17.080 and 42.17.090.

2. **Gary Long 2003 Campaign**, Case #04-278

Results: The Respondent violated RCW 42.17.080, RCW 42.17.090, WAC 390-16-105 and WAC 390-16-125 by accepting in-kind contributions from one source which exceeded the limit of the Mini Reporting option, and violated RCW 42.17.040 by failing to properly seek a change to the Full Reporting option prior to exceeding the limits of the Mini Reporting option.

Assessed Penalty: \$150, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

3. **Jeanette Burrage**, Case #04-237

Results: The Respondent violated RCW 42.17.080 and 42.17.090 by failing to timely file reports of contributions, expenditures, and debts, and violated RCW 42.17.105 by failing to timely report the receipt of a contribution of \$1,000 from one contributor (Jeanette Burrage) as a Last Minute Contribution received within seven days of the primary election.

Assessed Penalty: \$200, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

4. **Jeff Sax 2001 Campaign**, Case #04-244

Results: The Respondent violated RCW 42.17.080 and 42.17.090 by failing to report obligations for rent expenses and reimbursement of lost wages, and by failing to timely file reports of contributions and expenditures.

Assessed Penalty: \$200, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

The Chair also acted to dismiss the following allegations:

- that the Respondent accepted a cash contribution over the limit allowed by RCW 42.17.740, and did not maintain in his campaign records a written receipt for this cash contribution, signed both by the contributor and the candidate or treasurer, in violation of RCW 42.17.060(5);
- that the Respondent inappropriately transferred campaign funds to the personal accounts of himself and his spouse, in violation of RCW 42.17.125; and
- that the Respondent failed to report in-kind contributions after a vendor failed to cash two checks for campaign expenses, in violation of RCW 42.17.080 and 42.17.090.

5. **Dennis Hession 2003 campaign**, Case #04-281

Results: The Respondent violated RCW 42.17.080 and 42.17.090 by failing to timely report contribution deposits and monetary expenditures.

Assessed Penalty: \$200, with \$100 suspended on the condition that the Respondent commits no further violations of RCW 42.17 for a period of two years from the date of the Order entered in the case.

The Chair also acted to dismiss the following allegations:

- that the Respondent failed to electronically file all contribution and expenditure reports for his 2003 campaign for Spokane City Council President, in violation of RCW 42.17.3691
- that the Respondent failed to deposit monetary contributions within five business days of receipt, in violation of RCW 42.17.060; and
- that the Respondent transferred funds received for his 2001 campaign for Spokane City Council Member to his campaign for a different office without receiving written permission from the contributors, in violation of RCW 42.17.790.

6. **Robert McConkey**, Case #04-148

Results: The Presiding Officer acted to vacate the order previously entered in Case #04-148, finding that the Respondent was not afforded the opportunity to participate in a September 10, 2003 brief enforcement hearing at which he was found in violation

of RCW 42.17.050 and 42.17.240. The Presiding Officer directed staff to re-schedule a hearing for the case.

7. **Scott Dibiasio**, Case #04-449

Results: The Respondent violated RCW 42.17.170 by failing to timely file monthly Lobbyist Expense Reports for the months of January and February 2004.

Assessed Penalty: \$200, with \$100 suspended.

8. **Peter Hurley**, Case #04-525

Results: The Respondent violated RCW 42.17.170 by failing to timely file monthly Lobbyist Expense Reports for the months of February, and March 2004.

Assessed Penalty: \$200, with \$100 suspended.

9. **Julie Peterson**, Case #04-527

Results: The Respondent violated RCW 42.17.170 by failing to timely file monthly Lobbyist Expense Reports for the months of February, and March 2004.

Assessed Penalty: \$200, with \$100 suspended.

10. **Northwest Association For Private Industry**, Case #04-495

Results: The Respondent was initially found in violation of RCW 42.17.180 by failing to timely file the annual Employer's Lobbying Expenses report covering lobbying activity during 2003, and was assessed a penalty of \$150. However, after the brief hearing, on June 1, 2004, PDC staff received the timely filed Stipulation of a violation and payment of a \$100 penalty to avoid a hearing. The mail had been lost and was delivered by the U.S. Postal Service on June 1, 2004. Based on this information, the Chair rescinded his oral finding of a violation and assessment of a penalty. The stipulated violation and payment of \$100 was accepted in lieu of a hearing.